

1 XAVIER BECERRA  
2 Attorney General of California  
3 WILLIAM C. KWONG  
4 Supervising Deputy Attorney General  
5 ALLISON M. LOW  
6 Deputy Attorney General  
7 State Bar No. 273202  
8 455 Golden Gate Avenue, Suite 11000  
9 San Francisco, CA 94102-7004  
10 Telephone: (415) 510-3589  
11 Fax: (415) 703-5843  
12 E-mail: Allison.Low@doj.ca.gov  
13 *Attorneys for Defendant*  
14 *J. Clawson*

15  
16  
17 IN THE UNITED STATES DISTRICT COURT  
18 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
19 SAN JOSE DIVISION

20  
21  
22  
23  
24  
25  
26  
27  
28 **SHIKEB SADDOZAI,**

Plaintiff,

v.

**RON DAVIS, et al.,**

Defendants.

Case No. 5:18-cv-05558-BLF (PR)

**NOTICE RE: DEFENDANT'S MOTION  
TO DISMISS PLAINTIFF'S SECOND  
AMENDED COMPLAINT**

29     ///

30     ///

31     ///

1           **TO THE COURT AND PLAINTIFF SHIKEB SADDOZAI, PRO SE:**

2           **PLEASE TAKE NOTICE** that Plaintiff's filing of a third amended complaint on March 6,  
3 2020 mooted Defendant Clawson's previously filed motion to dismiss.

4           Defendant filed a motion to dismiss Plaintiff's second amended complaint on March 2,  
5 2020. (ECF No. 27.) Federal Rule of Civil Procedure 15 provided Plaintiff twenty-one days to  
6 amend his complaint as a matter of course. Plaintiff did so on March 6, 2020. (ECF No. 29.)  
7 Therefore, Defendant's motion to dismiss is moot and Defendant shall file a new challenge to the  
8 operative pleading.

9 Dated: March 13, 2020

Respectfully submitted,

10           XAVIER BECERRA  
11           Attorney General of California  
12           WILLIAM C. KWONG  
13           Supervising Deputy Attorney General

14           */s/ Allison M. Low*

15           ALLISON M. LOW  
16           Deputy Attorney General  
17           *Attorneys for Defendant*  
18           *J. Clawson*

19           SF2020200485  
20           21851190.docx

21  
22  
23  
24  
25  
26  
27  
28

## CERTIFICATE OF SERVICE

Case Name: S. Saddozai v. Davis, et al. Case No. 5:18-cv-05558-BLF (PR)

I hereby certify that on March 13, 2020, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

### **NOTICE RE: DEFENDANT'S MOTION TO DISMISS PLAINTIFF'S SECOND AMENDED COMPLAINT**

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On March 13, 2020, I have caused to be mailed in the Office of the Attorney General's internal mail system, the foregoing document(s) by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

Shikeb Saddozai (AY1590)  
California State Prison - Corcoran  
P.O. Box 3461  
Corcoran, CA 93212  
*In Pro Per*

I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on March 13, 2020, at San Francisco, California.

---

G. Pang  
Declarant

SF2020200485/21853135.docx

---

/s/ G. Pang  
Signature